IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3213 OF 2005

Santlal Jawahar Lodh ...Applicant
vs.
State of Maharashtra ...Respondent

Mr.Neville D. Deboo i/b Mr.Abhay B. Bhoir for the Applicant
Mrs.S.D.Shinde,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : JUNE 15,2005.

P.C.:

1. Heard Counsel appearing for the parties. An offence has been registered against the Applicant and others under C.R.No.151 of 2004 punishable under Sections 466,467,468,471,474,420, 120-B of the Indian Penal Code read with Sections 3,25 and 35 of Arms Act.

2. The learned Counsel appearing for the Applicant submitted that the Applicant is accused No.3 and accused Nos.2,4 and 5 have already been enlarged on bail. He submitted that the Applicant is entitled to parity. He submitted that the Application of the Applicant has been rejected by the learned Sessions Judge only on the ground that the Applicant is not a permanent resident of Mumbai.

3. The learned A.P.P. on instructions of the Officer concerned fairly stated that the Applicant is entitled to parity. However, the learned A.P.P. pointed that the other accused were granted bail as they are the residents of Mumbai and the Applicant is not a permanent resident of Mumbai.

4. The Applicant is entitled to parity. The grievance regarding residence can be taken care of by directing the

Applicant to furnish local sureties and by directing him to attend the concerned Police Station regularly.

5. Hence I pass the following order :

i) The Applicant shall be enlarged on bail in connection with the C.R.NO.151 of 2004 (DCB CID-Zone IV) on the Applicant furnishing P.R.Bond in the sum of Rs.10,000/- (Rupees ten thousand only) with one or two local sureties in the like amount.

ii) The Applicant is granted bail subject to condition that the Applicant will attend the office of D.C.B.-C.I.D., Zone-IV, Mumbai on every Wednesday from 11.00 a.m. to 2.00 p.m. till the conclusion of the trial.

iii) The Bail is granted subject to the condition that the Applicant will not make any attempt directly or indirectly to influence or pressurise the prosecution witnesses and to tamper with the evidence.

iv) The Applicant will cooperate in early disposal of the trial and if the trial is delayed due to any default on the part of the Applicant, the same may be a ground for cancellation of the bail.

v) Application is disposed of in above terms.

. Parties to act upon an authenticated copy of this order.

JUDGE